

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PHILIN CORPORATION, a California corporation,

Plaintiff,

V.

WESTHOOD, INC., an Oregon corporation,
formerly known as D. S. Parklane Development,
Inc.,

Defendant.

Civil No. 04-1228-HU

ORDER

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JONES, Judge:

Magistrate Judge Dennis James Hubel filed Findings and Recommendation (#138) on January 9, 2007, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Hubel's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Hubel's Findings and Recommendation (#138) dated January 9, 2007, in its entirety. Defendant's renewed motion to dismiss (#121) is granted with prejudice. Plaintiff's counsel's motions to withdraw (## 128, 131) are granted.

IT IS SO ORDERED.

DATED this 26th day of February, 2007.

/s/ Robert E. Jones
ROBERT E. JONES
United States District Judge